

Remarks

Claims 1, 7 and 23 have been amended, claim 17 has been canceled and new claims 28-33 have been added. Review and reconsideration are respectfully requested.

Claims 1, 3, 6, 23 and 27 are rejected as defining obvious subject matter over U.S. Pat. No. 2,573,861 to Meeker, in view of U.S. Pat. No. 2,573,861 to Glaser or U.S. Pat. No. 3,145,406 to Lay. Accordingly, claim 1 has been amended to include the subject matter of claim 17, and claim 17 has been canceled. Thus, claim 1 now specifies that the handle has a generally continuous outer surface and lacks any auxiliary openings that communicate with the opening of the handle. Claim 23 has been amended in the same manner.

Claim 17 is not rejected over the Lay patent. Thus it is submitted that amended claims 1 and 23 define over the combination of the Meeker reference and the Lay reference.

Claim 1 has also been amended to specify that the attachment portion can be received in the opening of the handle in more than two radial locations. Claim 23 has similarly been amended to specify that the handle is configured to be initially coupled to the gripping plate at more than two radial locations. In contrast, in the device of the Glaser reference, as shown in Fig. 4C, the toothbrush head 1 includes a pair of projections 9 that must be fit into the channels 11 of the female portion 10 (Fig. 5A). Thus the toothbrush head 1 of the Glaser reference is insertable in only two radial positions (see column 4, lines 56-58). The embodiment shown in Figs. 7A-7D of the Glaser reference is similarly configured in this regard (see column 5, lines 42-49).

In contrast, in the present invention, as shown in Figs. 6 and 7 of this application, the feed grip 42 and attachment portion 50 do not need to be located at any particular angular or radial position to be initially coupled. In addition at page 5, lines 15-19 of this application it is disclosed that the handle 42 may need to be rotated in order to seat the tips 64, 66 in the end openings 74, 76, providing further support that there is nothing to require the attachment portion to be configured at any particular angular position to be inserted into the opening. Thus it is submitted that amended claims 1 and 23 define over the combination of the Meeker reference and the Glaser reference.

New claim 28 depends from claim 1 specifies that the handle includes a mouth. New claim 29 depends from claim 28 and specifies that the mouth is shaped to receive the attachment portion therein in any radial position. New claim 31 depends from claim 23 and includes similar limitations as claim 29.

Claim 7 has been amended to specify that the legs are configured to be displaced radially inwardly toward each other. In contrast, this feature is not shown in the Glaser reference. Instead the legs remain generally rigid and cam underneath camming surfaces.

Claim 9 specifies that the opening of the handle includes a generally inwardly tapered end wall. The Office action takes official notice that it is old and well known in the art to use tapered openings. However, such official notice is traversed and it is requested that the Office action provide specific support for this position. In addition it is submitted that one of ordinary skill in the art would not necessarily utilize such a tapered opening given that the Glaser reference does not disclose resilient legs which are desired to be moved radially inwardly.

Claims 16 and 22 are rejected as defining obvious subject matter over U.S. Pat. No. D165,082 to Little in view of Glaser or Lay. This rejection is respectfully traversed. In particular claim 16 specifies that the feed arm includes a pair of feed arm openings, with one of the feed arm openings being shaped to receive an attachment portion of the gripping plate therethrough. However, the Little reference does not disclose this feed arm opening. Instead, the Office action appears to infer or assume that the Little reference includes a feed arm opening.

Although the Little reference discloses a feed arm with a gripping plate on one side and a handle on the other, the gripping plate may be directly attached to one side thereof, and the handle may be directly attached to the other side thereof. For example, the gripping plate and handle could be attached by welding, fasteners, mechanical coupling arrangements such as snap-fits, or the like. Thus Applicants submit that there is simply insufficient evidence to show that the Little reference makes clear that the second feed arm opening is *necessarily* present, as required to make a showing of inherency under MPEP §2112.

The secondary references (Glaser and Lay) do not disclose the second feed arm opening. Thus even if the Little reference were to be combined with the Glaser and Lay references, the subject matter of claim 16 would not be shown.

Serial No. 10/039,313
Attorney Docket No. 006593-1953
Amendment

New claim 30 depends from claim 16 and includes limitations similar to those added to claim 1 by this amendment.

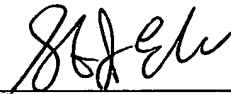
New independent claim 32 specifies that the opening is shaped to releasably receive the attachment portion therein and urge the legs inwardly toward each other when the attachment portion is inserted into the opening. Claim 32 also specifies that the handle has a generally continuous outer surface and lacks any auxiliary openings that communicate with the end openings of the handle. Thus it is submitted that claim 32 defines over the cited art.

New claim 33 depends from claim 32 and includes subject matter similar to that of claim 9.

Accordingly, it is submitted that each of independent claims 1, 16, 23 and 32 define over the cited references, and a notice of allowance is respectfully solicited.

The applicant(s) hereby authorizes the Commissioner under 37 C.F.R. §1.136(a)(3) to treat any paper that is filed in this application which requires an extension of time as incorporating a request for such an extension. The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or to credit any overpayment to Deposit Account 20-0809.

Respectfully submitted,



Steven J. Elleman
Reg. No. 41,733

THOMPSON HINE LLP
2000 Courthouse Plaza NE
P. O. Box 8801
Dayton, Ohio 45401-8801
(937) 443-6838

384471